

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE AUCTIONEER BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
 :
FORREST S. EVAVOLD. :
D/B/A NORDIC AUCTION. :
RESPONDENT. : LS0710301AUC
 :

Division of Enforcement Case File #: 05AUC022

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Forrest S. Evavold
D/B/A Nordic Auction
432 Colby Avenue
Duluth, MN 55804

Auctioneer Board
P.O. Box 8935
Madison, WI 53708 8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708 8935

The parties in these matters agree to the terms and conditions of the attached Stipulation as the final decision of the matter(s), subject to the approval of the Auctioneer Board (Board). The Board has reviewed the Stipulation agreement annexed to this Final Decision and Order, and considers it acceptable. Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Forrest S. Evavold, D/B/A Nordic Auction is registered as an Auctioneer in the State of Wisconsin having license number #052-001963. This license was first granted on 02/24/03.
2. Mr. Evavold’s most recent business address on file with the Department of Regulation and Licensing (“Department”) is: 432 Colby Avenue, Duluth, Minnesota 55804.
3. As a registered auctioneer in the State of Wisconsin, Mr. Evavold was and is at all times relevant to this action responsible for compliance under Wisconsin Statutes, chapter 480 and the Wisconsin Administrative Code for Auctioneers and Auction Companies, Chapters 124 and 126.
4. On or about November 22, 2005, the Department received a consumer complaint alleging that Nordic Auction not paid out all the proceeds from a Wisconsin based auction conducted by the company in July 2005. The case was subsequently opened for investigation.
5. On May 22, 2006, the Department’s investigative staff sent a letter to Mr. Evavold requesting a copy of the contract from the July 2005 auction, copies of all auction tickets, and a complete accounting of the sale. The request was to be replied to by June 6, 2006.
6. Department records indicate that Mr. Evavold did contact the Department via telephone in regards to the above noted matter but has failed to comply with the request for documentation. To date, the Department has not received

copies of the documentation it requested on May 22, 2006.

7. In resolution of this matter, Mr. Evavold consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Auctioneer Board has jurisdiction to act in these matters pursuant to Wis. Stat. § 480.24.
2. The Auctioneer Board has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).
3. Respondent Forrest S. Evavold D/B/A Nordic Auction has violated:

Wis. Stat. §§ 480.18(1)(3) and 480.24(2)(b)(j) and Wisconsin Administrative Code, § RL 126.02 (2), by failing to comply with a Department request for the production of records related to an auction.
4. The license of Forrest S. Evavold D/B/A Nordic Auction is subject to discipline per Wis. Stat. § 480.24.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED that Respondent Forrest S. Evavold D/B/A Nordic Auction(#052-001963) is hereby **REPRIMANDED** for the conduct set out above.

IT IS FURTHER ORDERED, that Respondent Forrest S. Evavold D/B/A Nordic Auction shall pay costs of **TWO HUNDRED FIFTY DOLLARS (\$250.00)** and forfeiture in the amount of **TWO HUNDRED FIFTY DOLLARS(\$250.00)** within thirty (90) days from the date of this order. Total amount to be paid shall be: **FIVE HUNDRED DOLLARS (\$500.00)**. Payments shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing sent to:

**Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264**

IT IS FURTHER ORDERED, that in the event that Forrest S. Evavold D/B/A Nordic Auction fails to timely submit payment of the costs as set forth above, Forrest S. Evavold D/B/A Nordic Auction's auctioneer license # 052-001963 **SHALL BE SUSPENDED**, without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said costs has been paid to the Department of Regulation and Licensing and their failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that file 05 AUC 022 be, and hereby is, closed as to Forrest S. Evavold D/B/A Nordic Auctions.

Dated at Madison, Wisconsin this 30th day of October, 2007.

AUCTIONEER BOARD

Patrick McNamara
Member of the Auctioneer Board